

MAR 13 2015

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# SENATE CONCURRENT RESOLUTION

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REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO CONVENE A WORKING  
GROUP REGARDING PROCESS SERVERS.

1 WHEREAS, process servers play an important role in  
2 facilitating timely judicial process and protecting public  
3 safety; and  
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5 WHEREAS, in Auditor's Report No. 91-17, the Auditor  
6 recommended that the State not regulate process servers;  
7 however, delays and inefficiencies in the service of process by  
8 the Sheriff Division persisted; and  
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10 WHEREAS, since the Auditor's report in 1991, the  
11 Legislature has considered several measures to regulate process  
12 servers; and  
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14 WHEREAS, recently, the Legislature has received complaints  
15 from constituents of situations involving process servers that  
16 rise to the level of being inappropriate and even abusive; and  
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18 WHEREAS, this body believes that consideration should be  
19 given to the regulation of process servers to avoid situations  
20 of inappropriate and abusive actions by process servers; now,  
21 therefore,  
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23 BE IT RESOLVED by the Senate of the Twenty-eighth  
24 Legislature of the State of Hawaii, Regular Session of 2015, the  
25 House of Representatives concurring, that the Department of  
26 Public Safety is requested to chair and convene a working group  
27 to consider and make recommendations to define and delineate the  
28 powers and duties of process servers; and  
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30 BE IT FURTHER RESOLVED that the objectives of the working  
31 group include:  
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- 1 (1) Defining and delineating the duties and  
2 responsibilities of process servers;  
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- 4 (2) Creating a process of registration for process servers  
5 in the State;  
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- 7 (3) Examining licensing requirements of and jurisdictional  
8 concerns relating to the private process service  
9 industry in the State;  
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- 11 (4) Developing draft rules and regulations governing  
12 private process servers and restrictions on the  
13 service of process; and  
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- 15 (5) Addressing other issues deemed relevant to process  
16 servers by the working group or the Department of  
17 Public Safety; and  
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19 BE IT FURTHER RESOLVED that the Department of Public Safety  
20 invite representatives of the following groups and entities to  
21 participate in the working group:  
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- 23 (1) Private process servers;  
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- 25 (2) Sheriff Division of the Department of Public Safety;  
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- 27 (3) The Judiciary;  
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- 29 (4) The Hawaii State Bar Association; and  
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- 31 (5) The Professional and Vocational Licensing Division of  
32 the Department of Commerce and Consumer Affairs;  
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34 BE IT FURTHER RESOLVED that the members of the working  
35 group serve without compensation for their service on the  
36 working group; and  
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38 BE IT FURTHER RESOLVED that the working group report its  
39 findings and recommendations to the Legislature no later than  
40 twenty days prior to the convening of the Regular Session of  
41 2016; and  
42



# S.C.R. NO. 135

1 BE IT FURTHER RESOLVED that certified copies of this  
2 Concurrent Resolution be transmitted to the Director of Public  
3 Safety, Chief Justice, Hawaii State Bar Association, and  
4 Director of Commerce and Consumer Affairs.  
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OFFERED BY: Shannon Chun Oakland

